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BA 4/7/01

Applicant or Patentee: Ashwin Philips Attorney's  
Serial or Patent No.: To Be Assigned Docket No. 36266-00002  
Filed or Issued: Herewith  
For: Network-Enabled Audio/Video Player

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

  X   I the owner of the small business concern identified below:  
  X   I am an official of the small business concern empowered to act on  
behalf of the concern identified below:

NAME OF CONCERN: Lydstrom, Inc., a Delaware Corporation  
ADDRESS OF CONCERN: 9A Hamilton Place, Boston, Massachusetts 02108

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Network-Enabled Audio/Video Player by inventor Ashwin Philips described in

  X   the specification filed herewith  
       Application Serial No.                      filed                     .  
       Patent No.                     , issued                     .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

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Attorney's  
Docket No. 36266-00002

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT  
ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT  
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Rahul Shah  
TITLE OF PERSON OTHER THAN OWNER President  
ADDRESS OF PERSON SIGNING 9A Hamilton Place  
Boston, Massachusetts 02108

SIGNATURE  DATE 12/5/2000

# DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled NETWORK-ENABLED AUDIO/VIDEO PLAYER

- ☒ the specification of which is attached hereto.  
☐ the specification of which was filed on \_\_\_\_\_ and assigned U.S. Serial No. \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

## Prior Foreign Application(s)

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119

I hereby claim the benefit under Title 35, United States Code, § 120 and/or Title 35, United States Code, § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing	Status (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint:

Steven E. Shapiro, Reg. No. 35,676;  
Brent Rabowsky, Reg. No. 41,262;

Joseph G. Swan, Reg. No. 41,338; and


all of the firm of:

MITCHELL, SILBERBERG & KNUPP LLP  
11377 West Olympic Boulevard,  
Los Angeles, California 90064  
(310) 312-2000

as my attorneys with full power of substitution and revocation, to prosecute this application and to transact in connection therewith all business in the United States Patent and Trademark Office and before competent International Authorities.

**Steven E. Shapiro, Esq.**  
**MITCHELL, SILBERBERG & KNUPP LLP**  
**11377 West Olympic Boulevard**  
**Los Angeles, California 90064**  
**(310) 312-2000**

Listing of Inventors Continued on Page 3 hereof ☐ Yes ☒ No

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Citizenship United States  
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